

CITY OF HAYWARD
AGENDA REPORT

AGENDA DATE 06/07/05

AGENDA ITEM 3

WORK SESSION ITEM

TO: Mayor and City Council

FROM: Director of Public Works

SUBJECT: Authorization to Submit Application to the MTC for Surface Transportation
Program Backfill Funds

RECOMMENDATION:

It is recommended that the City Council adopt the attached resolution authorizing submittal of an application for \$290,000 of additional federal street and road funds.

BACKGROUND:

The Metropolitan Transportation Commission (MTC) has made available additional federal funding for local street and road rehabilitation. Approximately \$3 million of these funds are to be distributed within Alameda County. The City's share of these funds is \$290,000.

As was the case with previous federal funding allocations, the first priority for use of these funds is local street and road rehabilitation on Metropolitan Transportation System (MTS) routes, which are defined as major arterials. Last fall, City staff submitted an application for a pavement rehabilitation project on Hesperian Boulevard from West Tennyson Road to Industrial Boulevard as the City's first priority project. In this application, staff is proposing to extend the project limit to Sleepy Hollow Avenue. The estimated cost for this project is \$190,000, with \$168,000 coming from federal funds. In addition, staff has identified A Street from I-880 to Hathaway Avenue as also in need of pavement rehabilitation and proposes that this project be submitted as well. The estimated cost of this project is \$138,000, with \$122,000 coming from federal funds.

Federal funds normally require a match of at least 11.5 percent of the total project cost. However, in this application process, the Alameda County Congestion Management Agency (CMA) has made available some local funding, referred to as "CMA TIP" funding. The CMA has agreed to let the City use CMA TIP funding as the required non-federal match in lieu of City funds. Since the CMA TIP funds will not be available until 2007-08, the City will need to fund the match requirement with local funds and then will be reimbursed in 2007-08. The City proposes to apply for \$38,000 of CMA TIP funds to act as the local match for both projects.

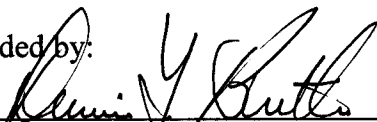
It should be noted that by having federal funding or alternative funding available to repair our major arterials, City gas tax and other transportation funds may be used to repair more of our local streets.

These federal funds must be obligated by June 30, 2006. Consequently, our federally-funded projects are proposed to be programmed in the 2005-06 fiscal year.

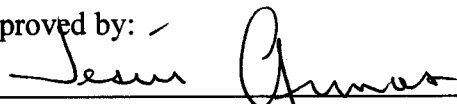
Prepared by:


Robert A. Bauman, Deputy Director of Public Works

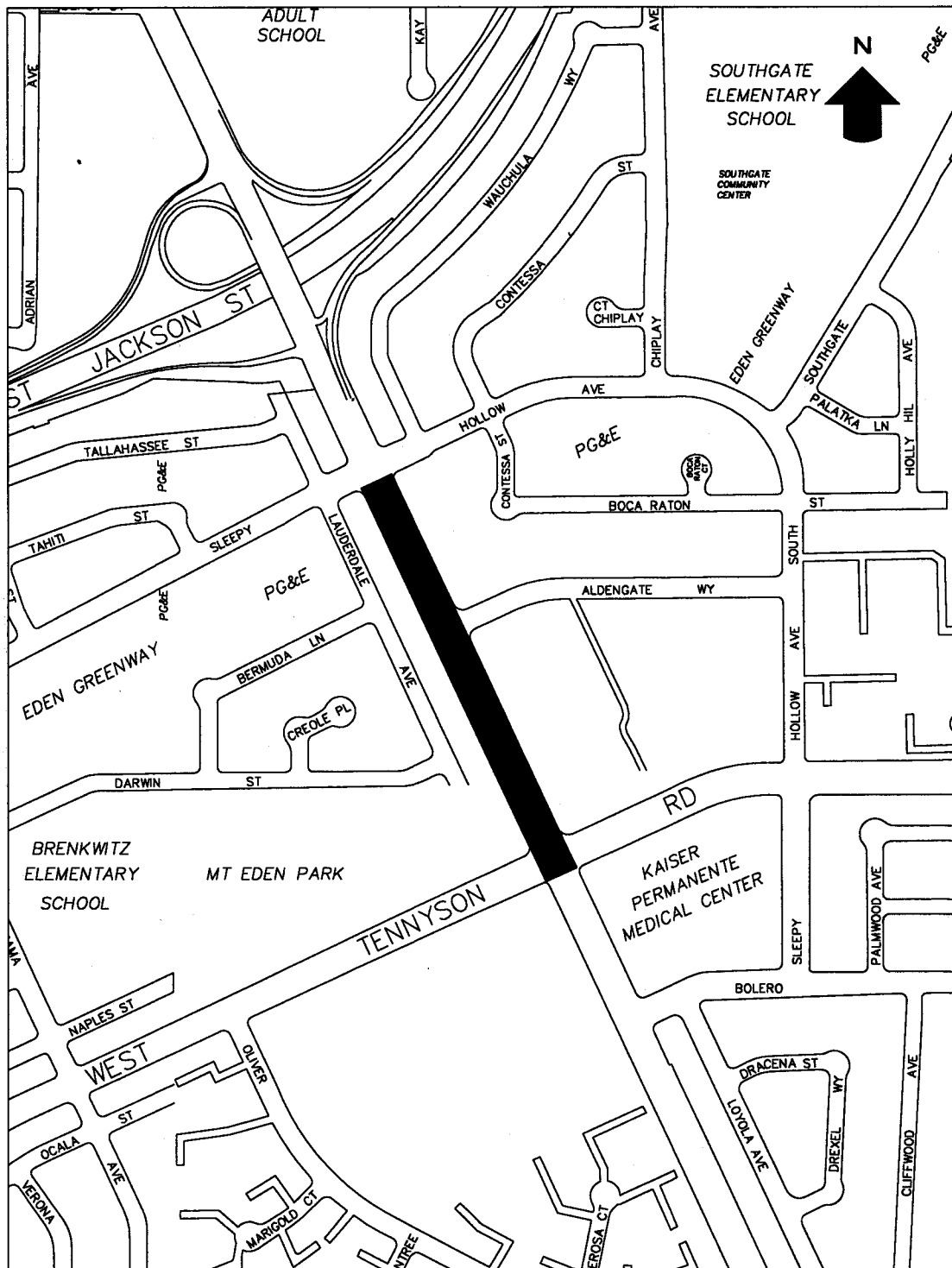
Recommended by:


Dennis L. Butler, Director of Public Works

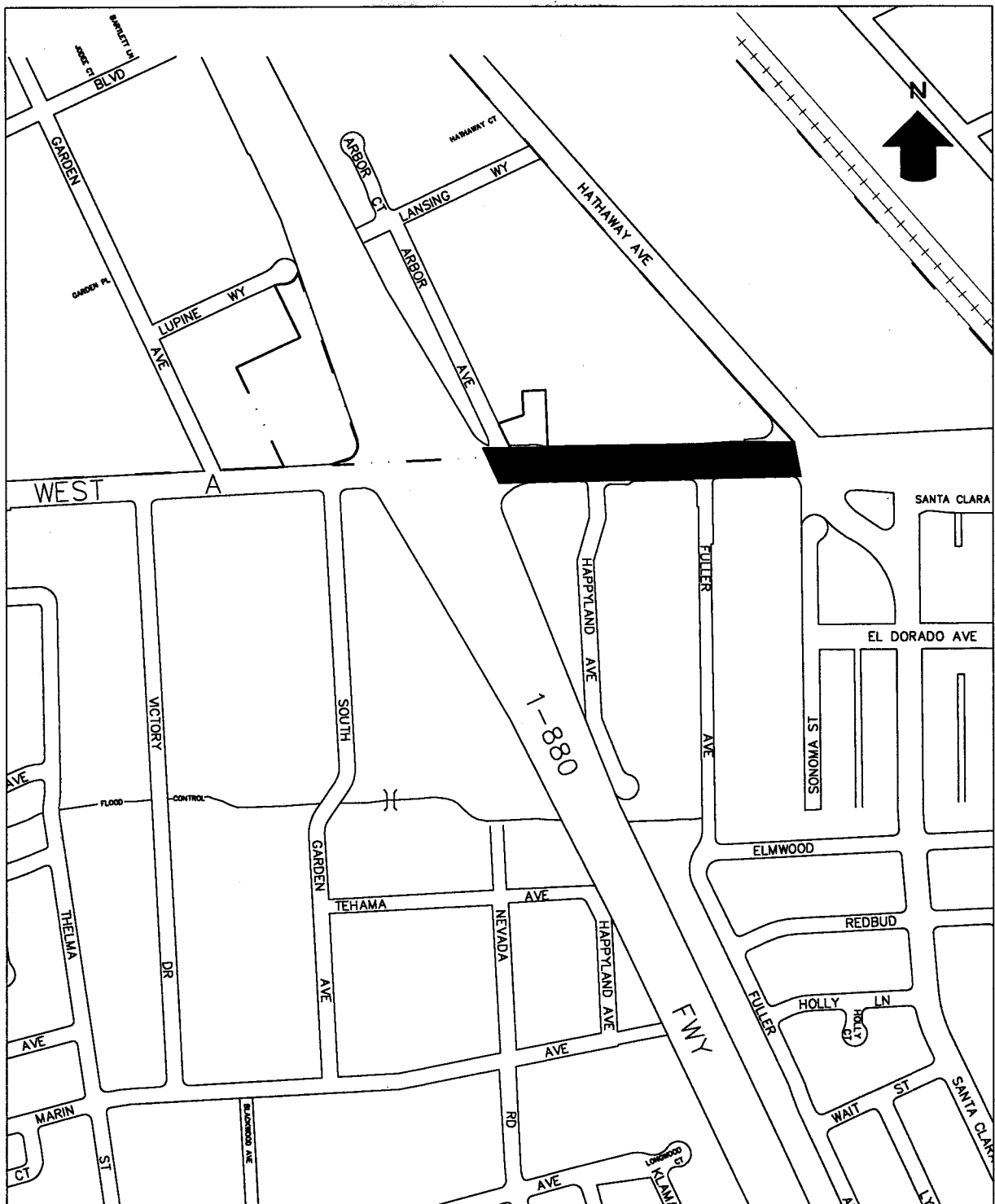
Approved by: -


Jesús Armas, City Manager

Attachments: Exhibit A: Project Location Maps



**HESPERIAN BLVD - SLEEPY HOLLOW AVE TO W. TENNYSON RD
PAVEMENT REHABILITATION
PROJECT MAP**



**WEST A ST - E. EDGE OF I-880 TO HATHAWAY AVE
PAVEMENT REHABILITATION
PROJECT MAP**

DRAFT



HAYWARD CITY COUNCIL

RESOLUTION NO. 05-

Introduced by Council Member

**AUTHORIZING THE FILING OF AN APPLICATION FOR
FEDERAL SURFACE TRANSPORTATION PROGRAM
FUNDING FOR LOCAL STREET AND ROAD
REHABILITATION AND COMMITTING THE NECESSARY
NON-FEDERAL MATCH FOR THE PROJECT AND
STATING THE ASSURANCE OF THE CITY OF HAYWARD
TO COMPLETE THE PROJECT**

**WHEREAS, the Transportation Equity Act for the 21st Century (TEA 21)
(Public Law 105-178, June 9, 1998) and the TEA 21 Restoration Act (Public Law 105-206,
July 22, 1998) continue the Surface Transportation Program (23 U.S.C. § 133) and the
Congestion Mitigation and Air Quality Improvement Program (CMAQ) (23 U.S.C. § 149);
and**

**WHEREAS, pursuant to TEA-21, and the regulations promulgated thereunder,
eligible project sponsors wishing to receive Surface Transportation Program or Congestion
Mitigation and Air Quality Improvement Program grants for a project shall submit an
application first with the appropriate metropolitan transportation planning organization (MPO),
for review and inclusion in the MPO's Transportation Improvement Program (TIP); and**

**WHEREAS, the Metropolitan Transportation Commission is the MPO for the
San Francisco Bay region; and**

**WHEREAS, the City of Hayward is an eligible project sponsor for Surface
Transportation Program or Congestion Mitigation and Air Quality Improvement Program
funds; and**

**WHEREAS, the City of Hayward wishes to submit an application to MTC for
funds from the Surface Transportation Program Improvement Program for the following Local
Streets and Roads rehabilitation projects: Hesperian Boulevard Rehabilitation-West Tennyson
Road to Sleepy Hollow Avenue and West A Street- I-880 to Hathaway Avenue; and**

WHEREAS, MTC requires, as part of the application, a resolution stating the following:

- 1) the commitment of necessary local matching funds of at least 11.47%; and
- 2) that the sponsor understands that the Surface Transportation Program and Congestion Mitigation and Air Quality Improvement Program funding is fixed at the programmed amount, and therefore any cost increase cannot be expected to be funded with Surface Transportation Program or Congestion Mitigation and Air Quality Improvement Program funds; and
- 3) the assurance of the sponsor to complete the project as described in the application, and if approved, as programmed in MTC's TIP; and
- 4) that the sponsor understands that funds must be obligated by September 30 of the year that the project is programmed for in the TIP, or the project may be removed from the program; and

NOW, THEREFORE, BE IT RESOLVED by the City Council that the City of Hayward is authorized to execute and file an application for funding under the Surface Transportation Program of TEA-21 Reauthorization in the amount of \$290,000 for Hesperian Boulevard Rehabilitation-West Tennyson Road to Sleepy Hollow Avenue and West A Street-I-880 to Hathaway Avenue; and

BE IT FURTHER RESOLVED that the City Council by adopting this resolution does hereby state that:

- 1) City of Hayward will provide \$38,000 in non-federal matching funds; and
- 2) City of Hayward understands that the Surface Transportation Program and Congestion Mitigation and Air Quality Improvement Program funding for the project is fixed at \$290,000 and that any cost increases must be funded by the City of Hayward from local matching funds, and that the City of Hayward does not expect any cost increases to be funded with Surface Transportation Program or Congestion Mitigation and Air Quality Improvement Program funds; and
- 3) Hesperian Boulevard Rehabilitation-West Tennyson Road to Sleepy Hollow Avenue and West A Street- I-880 to Hathaway Avenue pavement rehabilitation will be built as described in this resolution and, if approved, for the amount shown in the Metropolitan Transportation Commission (MTC) Transportation Improvement Program (TIP) with obligation occurring within the timeframe established below; and
- 4) The program funds are expected to be obligated by September 30 of the year the project is programmed for in the TIP.

BE IT FURTHER RESOLVED that the City of Hayward is an eligible sponsor of projects in the Surface Transportation Program; and

BE IT FURTHER RESOLVED that the City of Hayward is authorized to submit an application for Surface Transportation Program funds for Hesperian Boulevard Rehabilitation-West Tennyson Road to Sleepy Hollow Avenue and West A Street- I-880 to Hathaway Avenue pavement rehabilitation; and

BE IT FURTHER RESOLVED that there is no legal impediment to the City of Hayward making applications for Surface Transportation Program funds; and

BE IT FURTHER RESOLVED that there is no pending or threatened litigation which might in any way adversely affect the proposed project, or the ability of the City of Hayward to deliver such project; and

BE IT FURTHER RESOLVED that a copy of this resolution will be transmitted to the MTC in conjunction with the filing of the application; and

BE IT FURTHER RESOLVED that the MTC is requested to support the application for the project described in the resolution and to program the project, if approved, in MTC's TIP.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2005

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:

MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward